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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,  
12  
13 Plaintiff,  
14 v.  
15 OCTAVIO MENDOZA, JR.,  
16 Defendant.

Case No. 3:20-CR-00048-HDM

**ORDER GRANTING  
STIPULATION TO  
CONTINUE SENTENCING  
HEARING  
(THIRD REQUEST)**

17 IT IS HEREBY STIPULATED AND AGREED by and through RENE L.  
18 VALLADARES, Federal Public Defender and KATE BERRY, Assistant Federal Public  
19 Defender, counsel for OCTAVIO MENDOZA, JR. and CHRISTOPHER CHIOU, Acting  
20 United States Attorney, and ANDOLYN JOHNSON, Assistant United States Attorney, counsel  
21 for the UNITED STATES OF AMERICA, that the Sentencing hearing set for November 2,  
22 2021, at 10:00 AM, be vacated and continued to December 7, 2021, at 10:00 AM.  
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The continuance is necessary for the following reasons:

1. This is a request by counsel for the Defendant, Mr. Mendoza, and is unopposed by the government.

2. The additional time requested by this Stipulation is reasonable pursuant to Federal Rule of Criminal Procedure 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed in this rule.”

3. Mr. Mendoza is detained and agrees to the continuance. Specifically, Mr. Mendoza was informed that the continuance will provide continuity of counsel as undersigned defense counsel will be in trial starting October 18, 2021 with an anticipated end date of November 5, 2021.

4. This is the third request for continuance of the sentencing hearing.

DATED this 29<sup>th</sup> day of September, 2021

RENE L. VALLADARES  
Federal Public Defender

CHRISTOPHER CHIOU  
Acting United States Attorney

By /s/ Kate Berry  
KATE BERRY  
Assistant Federal Public Defender  
Counsel for  
OCTAVIO MENDOZA, JR.

By /s Andolyn Johnson  
ANDOLYN JOHNSON  
Assistant United States Attorney  
Counsel for the Government

**ORDER**

Based on the Stipulation of counsel, and good cause appearing,

**IT IS THEREFORE ORDERED** that the Sentencing Hearing currently set for November 2, 2021, at 10:00 AM, be vacated and continued to **December 7, 2021, at 10:00 AM** in Reno Courtroom 4 before Judge Howard D. McKibben. IT IS SO ORDERED.

DATED this 30th day of September, 2021.



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UNITED STATES DISTRICT JUDGE